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REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicant asserts that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 1-52 are pending in the application. Claims 1-52 have been rejected. Claim 27 has been amended to address a typographical error.

Claim Objections

In the Office Action, the Examiner objected to claim 27 because of alleged informalities. Claim 27 has been amended in order to cure these informalities. Accordingly, Applicant requests withdrawal of the objection.

CLAIM REJECTIONS

35 U.S.C. § 102 Rejections

In the Office Action, the Examiner rejected claims 1-5, 10-22, 25-31, 36-48, and 51-52 under 35 U.S.C. § 102(a), as being anticipated by Zenoni (U.S. Patent Publication 2004/0034873). Applicant respectfully asserts that the Examiner has failed to establish a *prima facie* case of anticipation, because the cited reference neither teaches nor suggests every element and limitation recited in independent claims 1 and 27.

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More specifically, independent claims 1 and 27 of the present Application recite: "detecting an occurrence of an event of interest within a received media stream" and "multicasting at least one media stream of interest that comprises the event of interest.". Media streams, by definition, and as known to anyone of basic skill in the art, are video and/or audio streams. Thus, it should further be clear to anyone of ordinary skill in the art that "event detection" of events in a media stream is inherently based on detection of specific video and/or specific audio patterns.

In contrast to the aforementioned limitations recited in pending independent claims 1 and 27, the cited reference teaches detection of "data events" (e.g. updated scores, stock prices, etc...) in data feeds which may or may not be associated with a media stream. The Zenoni reference neither mentions nor suggests detecting events within the media stream itself. Moreover, the cited reference actually teaches away from key limitations in pending independent claims 1 and 27. Namely, the cited reference teaches: (1) notifying a viewer of a detected data event in a data feed; and (2) asking the viewer whether he/she is interested in viewing a media stream associated with the data feed. Unicasting of the associated media stream to the user's set top box is not automatically done upon the detection of the data event, but rather occurs only if and when the user selectively chooses to view the associated media stream.

Whereas, independent claims 1 and 27, respectively, recite:

1. "A method for multicasting an event of interest, the method comprises the steps of:
detecting an occurrence of an event of interest within a received media stream;
and
multicasting at least one media stream of interest that comprises the event of interest."
27. "A system for multicasting an event of interest, the system comprises:
means for detecting an occurrence of an event of interest within a received media stream; and
means for multicasting at least one media stream of interest that comprises the event of interest."

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In contrast, the cited reference generally teaches:

"Disclosed is a method and system that displays notifications to a user on a television system. The notifications comprise recent events occurring in subjects of importance to the user. The user may view data and video clips of the recent event, web pages, enhanced web pages, and alternate channels. Access is provided through the Internet, to enhanced web pages designed specifically for television, and regular web pages. Users can switch from the current broadcast to another channel, such as the channel displaying the recent event." (Abstarct)

In addition, below are specific portions of the cited reference, which clearly demonstrate the distinctions between what is taught in Zenoni and the recited limitations of independent claims 1 and 27:

"[0008] The present invention may therefore comprise a method of providing event information to a user on a television comprising receiving event information, including event data and event video, at an event notification server located at an upstream source, the event information generated by a content provider; transmitting the event data to an event data database for storage and retrieval of the event data; transmitting the event video to event video storage for storage and retrieval of the event video; receiving user preferences from a set-top box at the event notification server via an upstream connection between said set-top box and the event notification server; transmitting the user preferences to a user preference database for storage and retrieval of the user preferences; comparing the event data with the user preferences at the event notification server; generating an event notification trigger upon favorable comparison of the user preferences and the event data, the event notification trigger including an address of the set-top box; transmitting the event notification trigger to the address of the set-top box; generating a graphic user interface on the television, using the set-top box, in response to the event notification trigger, the graphic user interface allowing the user to select at least one of: downloading the event video from the event video storage for display on the television; accessing an Internet location that provides the event information on the television; switching the television to an alternate channel that is displaying the event information, and exiting the graphic user interface."

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"The user 126 may specify that whenever an "event" occurs, the user 126 receives notification. The term "event" can include some occurrence that exceeds the limits of thresholds set within user preferences 131 by a user 126. The term "threshold" refers to factors which determine the frequency, severity, etc. of an event which may result in notifications being sent to the user 126. The frequency at which an event may be viewed may be determined by threshold data entered by the user 126. For example, the user 126 may wish to view the user's stocks as the stocks change by a threshold of \$3.00 per share or if the volume of sales exceeds a set threshold... The user 126 may be able to access sports and weather information in the same manner. For example, the user 126 may select, as a threshold, to view football scoring events with a change in score of at least 5 points. The user 126 may receive notification when the football score has recently changed by 5 points, activate the notification, and view the last play that caused the score to change in that particular sports game. Alternatively, the user 126 may wish to view weather alerts by selecting a threshold of storms labeled as "severe." Events and thresholds may also be defined and provided by the content provider or by the user 126."

"[0025] As also shown in FIG. 1, the comparator 110, which may comprise a programmed function of the process of ENS 102, accesses stored user preferences 115 from the user preferences database 114. The comparator 110 then compares the stored user preferences 115, in the user preferences database 114, with stored event data 113, in the event data database 112. If no match is made between the stored event data 113 and the stored user preferences 115, then the ENS 102 may continue to make comparisons until a comparison/match is made between the updated stored event data 113 and the stored user preferences 115. Concurrently (while the comparator 110 makes comparisons), real time event data 106 is received from the content provider 100."

In light of the above excerpts, Applicant respectfully asserts that the Examiner has misinterpreted the cited reference and misapplied the teachings of the cited reference in an erroneous attempt to analogize them with limitations recited in the present Application's independent claims. More specifically, claims 1 and 27 of the present Application clearly recite "detecting an occurrence of an event of interest within a received media stream" and

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"multicasting at least one media stream of interest that comprises the event of interest.", whereas the cited reference conversely teaches detection of "data events" (e.g. updated scores, stock prices, etc...) in data feeds associated with a media stream. The cited reference teaches comparing and matching between user preferences and event data associated with a media stream. As shown, the cited reference neither teaches nor suggests detection of specific video and/or specific audio patterns, but rather teaches data analysis and matching with user specified preferences.

Furthermore, the claims of the present Application are directed to generation of a "multicast" stream (steps and elements associated with a broadcaster), whereas the cited reference teaches a client side invoked method associated with the selection of content for presentation on the client side device. The multicasting option is only mentioned in the cited reference in passing, for situations where the user has multiple set top boxes in the home.

Accordingly, it should be clear to one of ordinary skill in the art that the Zenoni reference fails to teach all the limitations of independent claims 1 and 27, and is therefore insufficient as an anticipatory prior art reference.

Applicant respectfully asserts that in light of the above clarifications, it should be clear that independent claims 1 and 27 cannot be anticipated (35 USC 102) by the cited reference, and Applicant respectfully requests reconsideration and withdrawal of the rejection of independent claims 1 and 27 and all claims dependent upon them.

35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 8-9 and 34-35 under 35 U.S.C. § 103(a), as being unpatentable over Zenoni (U.S. Patent Publication 2004/0034873) in view of Li et al (U.S. Patent 6,543,053). The Examiner also rejected claims 6-7 and 32-33 under 35 U.S.C. § 103(a), as being unpatentable over Zenoni (U.S. Patent Publication 2004/0034873) in view of Lee et al (U.S. Patent 6,414,914).. The Examiner also rejected claims 23-24 and 49-50 under 35 U.S.C. § 103(a), as being unpatentable over Zenoni (U.S. Patent Publication 2004/0034873) in view of Daniels et al (U.S. Patent Publication 2002/0100052).

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Applicant respectfully traverses the rejections of claims over Zenoni (U.S. Patent Publication 2004/0034873) in view of the above stated secondary references, in light of the fact that all claims rejected under 35 U.S.C. § 103(a) are considered allowable by virtue of their dependence on allowable base claims 1 and 27, as established above in the remarks and arguments regarding rejection of claims under 35 U.S.C. § 102(a) over Zenoni (U.S. Patent Publication 2004/0034873).

In view of the foregoing amendments and remarks, all the pending claims are considered to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Respectfully submitted,



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